

REMARKS

Claims 1-46 are pending in the application. Claims 1, 5-8, 17-18, 21-22, 28-30, 31, 40, and 44-46 have been amended. No new matter has been added. Applicants respectfully request reconsideration of the rejections set forth in the Office Action dated December 21, 2004 in light of the preceding amendments and the following remarks.

Applicants gratefully thank the Examiner for the courtesy extended during the telephonic interviews with Applicants' representative on March 17, 2005. During the interview, confusion in the written 102(b) rejection was clarified such that the rejection refers solely to Liu (and not to Sato).

Claims 1, 22 and 40 have been amended to clarify the bit rate alteration nature of the invention and now recite "filtering selected transform coefficients from the video bitstream to thereby reduce the bit rate of the video bitstream and produce a reduced bit rate for the video bitstream that meets the bandwidth constraint, wherein the video bitstream before filtering does not meet the bandwidth constraint and the video bitstream including the modified transform coefficients includes the reduced bit rate that meets the bandwidth constraint". Support for this amendment may be found throughout the Specification, and in particular on page 1, line 15 to page 5, line 17, on page 7, line 18 to page 8, line 21, and on page 10, line 12 to page 11, line 3, for example. No new matter has been added.

Claims 8 and 31 have been clarified and now recite "selecting transform coefficients for filtering to provide modified transform coefficients, wherein the transform coefficients associated with the input bitstream are selected differentially on a per block or a per macroblock basis". This clarifies the flexible selectivity offered by the present invention. Support for this amendment is found several times in the Specification, and in particular on page 10, line 12 to page 11, line 3, Figures 5 and 9, and on page 12, line 1 to page 13, line 16, for example.

The remaining amendments are also supported by the Specification and add no new matter. For example, claims 6, 21, 30 and 45 now recite "wherein the method selectively filters fewer transform coefficients in a macroblock according to the number of the macroblock in a frame". Support for this amendment is found on page 12, line 24 to page 13, line 5, for example.

Rejections Under 35 U.S.C. §102/103

Claims 1, 6, 8-11, 13-14, 16, 22-25, 27, 31-34, 36-37, 39-40 and 42 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,907,374 ("Liu"). Claims 2-5, 7, 12, 17-22, 26, 28-30, 35, 38, 41, 43-46 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Liu.

Liu describes a system that can flexibly re-encode video data at different compression levels. He laments that conventional video processors are too complicated (col. 2, lines 53-59) and derives a simplified system.

Claims 8 and 31 now recite "selecting transform coefficients for filtering to provide modified transform coefficients, wherein the transform coefficients associated with the input bitstream are selected differentially on a per block or a per macroblock basis". Liu is notably silent on selecting transform coefficients. He only briefly mentions performing spatial filtering (col. 9, line 36); he doesn't describe any filter, how a filter would apply to individual transform coefficients to meet a bandwidth constraint, or whether transform coefficients can be selected differentially on a per block or a per macroblock basis. Thus, he certainly does not teach or suggest this limitation and claim as recited.

Claims 1, 22 and 40 now recite "filtering selected transform coefficients from the video bitstream to thereby reduce the bit rate of the video bitstream and produce a reduced bit rate for the video bitstream that meets the bandwidth constraint, wherein the video bitstream before filtering does not meet the bandwidth constraint and the video bitstream including the modified transform coefficients includes the reduced bit rate that meets the bandwidth constraint". As mentioned above, Liu barely mentions filtering, and does not describe techniques to filter coefficients to meet a bandwidth constraint. Liu mainly uses downsampling or re-quantization with a different step size to control bit rate. Where filtering is briefly mentioned, it is mentioned as an assist to processing or to reduce buffering, and Liu generally teaches against filtering since it destroys video presentation quality.

For at least these reasons, Liu does not teach or suggest independent claims 1, 8, 22, 31 and 40 and the independent claims are allowable.

Dependent claims 2-7, 9-21, 23-30, 32-39 and 41-46 each depend directly from independent claims 1, 8, 22, 31 and 40, respectively, and are therefore respectfully submitted to be patentable over Liu for at least the reasons set forth above with respect to the independent claims. Further, the dependent claims recite additional elements which when taken in the context of the claimed invention further patentably distinguish the art of record.

For example, dependent claim 6 now recites "wherein the method selectively filters fewer transform coefficients in a macroblock according to the number for the macroblock in a frame". Liu is completely silent on this limitation and silent on any motivation for this differential selectively.

Withdrawal of the rejections under 35 USC §102(b) and §103(a) are therefore respectfully requested.

In addition, the claims mention many features that the Office Action admits that Liu omits, such as DCT on audio, a cut-off index, and a threshold filter. On page 6 of the Office Action dated December 21, 2004, the Examiner takes Official Notice that these features are "notoriously well known in the art". Applicants respectfully disagree: these features are not well known *in the light of bit rate alteration and meeting a bandwidth constraint*. According to MPEP Section 2144.03.D, Applicants request the Examiner to produce evidence for each feature that is claimed as well known (as the MPEP states, if they are well known, it should not be difficult to find support), and in particular, to produce evidence that it is well known to use a cut-off index and a threshold filter to reduce a bit rate for video bitstream so as to meet a bandwidth constraint. Applicants also note that, according to MPEP Section 2144.03.A, Official Notice "should be used rarely". The Examiner has used it freely and multiply to numerous dependent claims, which counters the MPEP.

Double Patenting

Claims 1, 8, 22, 31 and 40 were rejected via non-statutory double patenting. The claims have been amended and Applicants believe the claims are now patentably distinct from U.S. Patent No. 6,763,070 and that the non-statutory double patenting rejection no longer applies. If the Examiner still believes that the non-statutory double patenting rejection holds, a Terminal Disclaimer pursuant to 37 CFR § 1.321 can be filed.

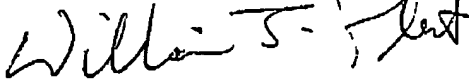
Applicants believe that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Applicants hereby petition for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in

connection with the filing of this Response is to be charged to Deposit Account No. 50-0388
(Order No. CISC219).

Respectfully submitted,

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Limited Recognition under 37 C.F.R. §10.9(b)

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